

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
) Criminal No. 4:05CR40021-FDS
)
)
 V.) VIOLATIONS:
) 21 U.S.C. § 841(a)(1) --
 LEO BEATTY) Distribution of
) Cocaine Base
)
) 18 U.S.C. § 2
) Aiding and Abetting
)
) 21 U.S.C. § 853 --
) Criminal Forfeiture
) Allegation

INDICTMENT

COUNT ONE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. § 2 -- Aiding and Abetting)

The Grand Jury charges that:

On or about February 10, 2005, at Fitchburg, in the District of Massachusetts,

LEO BEATTY,

the defendant herein, did knowingly and intentionally distribute a quantity of cocaine base, also known as "crack cocaine," a Schedule II controlled substance.

COUNT TWO: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about February 17, 2005, at Fitchburg, in the District of Massachusetts,

LEO BEATTY,

the defendant herein, did knowingly and intentionally distribute a quantity of cocaine base, also known as "crack cocaine," a Schedule II controlled substance.

The Grand Jury further alleges that the offense described herein involved at least 5 grams of a mixture or substance containing a detectable amount of cocaine base, also known as "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT THREE: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about March 3, 2005, at Fitchburg, in the District of Massachusetts,

LEO BEATTY,

the defendant herein, did knowingly and intentionally distribute a quantity of cocaine base, also known as "crack cocaine," a Schedule II controlled substance.

The Grand Jury further alleges that the offense described herein involved at least 5 grams of a mixture or substance containing a detectable amount of cocaine base, also known as "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

COUNT FOUR: (21 U.S.C. § 841(a)(1) -- Distribution of Cocaine Base; 18 U.S.C. §2 -- Aiding and Abetting)

The Grand Jury further charges that:

On or about March 17, 2005, at Fitchburg, in the District of Massachusetts,

LEO BEATTY,

the defendant herein, did knowingly and intentionally distribute a quantity of cocaine base, also known as "crack cocaine," a Schedule II controlled substance.

The Grand Jury further alleges that the offense described herein involved at least 5 grams of a mixture or substance containing a detectable amount of cocaine base, also known as "crack cocaine," a Schedule II controlled substance, in violation of Title 21, United States Code, Section 841(b)(1)(B)(iii).

All in violation of Title 21, United States Code, Section 841(a)(1) and Title 18, United States Code, Section 2.

FORFEITURE ALLEGATION
(21 U.S.C. § 853)

The Grand Jury further charges that:

1. As a result of the offense alleged in Count 1-4 of this Indictment,

LEO BEATTY,

defendant herein, shall forfeit to the United States any and all property constituting, or derived from, any proceeds the defendant obtained, directly or indirectly, as a result of such offenses; and/or any property used or intended to be used, in any manner or part, to commit, or to facilitate the commission of, any such violations. Such property shall include, but is not limited to, a 2002 Jeep Cherokee bearing Massachusetts Registration 27DW02 and the sum of \$4300 in US currency, which sum represents the proceeds of the drugs purchased from **BEATTY**.

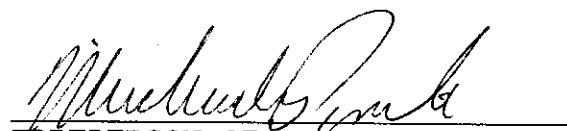
2. If any of the property described in paragraph 1, above, as a result of any act or omission of the defendant --

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be subdivided without difficulty;

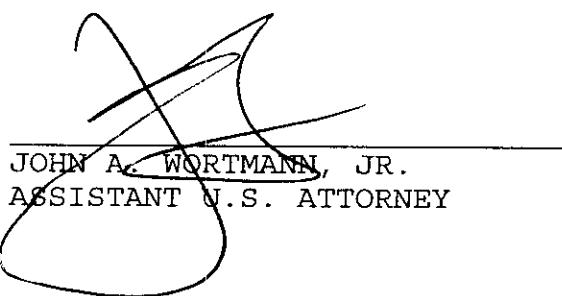
it is the intention of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendants up to the value of the property described in paragraph 1.

All in violation of Title 21, United States Code, Section 853.

A TRUE BILL,



FOREPERSON OF THE GRAND JURY

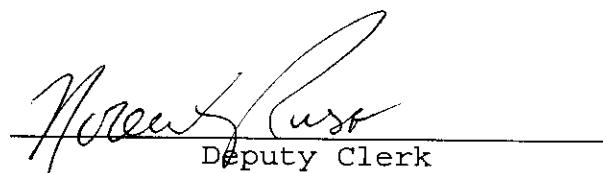


JOHN A. WORTMANN, JR.
ASSISTANT U.S. ATTORNEY

DISTRICT OF MASSACHUSETTS

April 21, 2005

Returned into the District Court by the Grand Jurors and
filed.



Nancy Luso
Deputy Clerk

12:40 P.M.
4/21/05

Criminal Case Cover Sheet**U.S. District Court - District of Massachusetts**

Place of Offense: Fitchburg Category No. II Investigating Agency DEA

City Fitchburg**Related Case Information:**County Worcester

Superseding Ind./ Inf. _____ Case No. _____

Same Defendant _____ New Defendant _____

Magistrate Judge Case Number _____

Search Warrant Case Number _____

R 20/R 40 from District of _____

Defendant Information:Defendant Name Leo G. Beatty Juvenile: Yes No

Alias Name _____

Address 1208 Water Street, Fitchburg, MABirthdate: 1958 SS # 6112 Sex: MALE Race: White Nationalit USA

Defense Counsel if known: _____ Address _____

Bar Number _____

U.S. Attorney Information:AUSA JOHN A. WORTMANN, JR. Bar Number if applicable 534680Interpreter: Yes No List language and/or dialect: _____Matter to be SEALED: Yes NoX Warrant Requested Regular Process In Custody**Location Status:**

Arrest Date _____

Already in Federal Custody as of _____ in _____ .

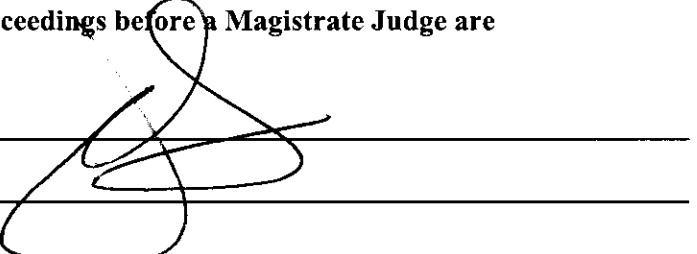
Already in State Custody at _____ Serving Sentence Awaiting Trial

On Pretrial Release: Ordered by: _____ on _____

Charging Document: Complaint Information IndictmentTotal # of Counts: Petty _____ Misdemeanor _____ Felony 4

Continue on Page 2 for Entry of U.S.C. Citations

I hereby certify that the case numbers of any prior proceedings before a Magistrate Judge are accurately set forth above.

Date: 4/21/05 Signature of AUSA: 

District Court Case Number (To be filled in by deputy clerk): _____

Name of Defendant LEO G. BEATTY

U.S.C. Citations

| | <u>Index Key/Code</u> | <u>Description of Offense Charged</u> | <u>Count Numbers</u> |
|--------------------------------------|-----------------------|---------------------------------------|----------------------|
| Set 1 | <u>21 USC 841</u> | <u>Distribution of cocaine base</u> | <u>1-4</u> |
| Set 2 | <u>21 U.S.C. §853</u> | <u>Forfeiture Allegations</u> | _____ |
| Set 3 | _____ | _____ | _____ |
| Set 4 | _____ | _____ | _____ |
| Set 5 | _____ | _____ | _____ |
| Set 6 | _____ | _____ | _____ |
| Set 7 | _____ | _____ | _____ |
| Set 8 | _____ | _____ | _____ |
| Set 9 | _____ | _____ | _____ |
| Set 10 | _____ | _____ | _____ |
| Set 11 | _____ | _____ | _____ |
| Set 12 | _____ | _____ | _____ |
| Set 13 | _____ | _____ | _____ |
| Set 14 | _____ | _____ | _____ |
| Set 15 | _____ | _____ | _____ |
| ADDITIONAL INFORMATION: _____ | | | |
| _____ | | | |
| _____ | | | |
| _____ | | | |